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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,802	09/02/2005	Thierry Le Gall	13777-42	4289
45473 7590 10/20/2009 BRINKS, HOFER, GILSON & LIONE P.O. BOX 1340 MORRISVILLE, NC 27560				
EXAMINER				
HARLAN, ROBERT D				
ART UNIT		PAPER NUMBER		
1796				
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10/20/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Application No.****Applicant(s)**

10/530,802

LE GALL ET AL.

**Response to Rule 312 Communication****Examiner****Art Unit**

Robert D. Harlan

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 11 September 2009 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

First, claims 28 and 29 are canceled. An amendment to include the subject matter of original claims 28-29 must be submitted as new claims.

Second, claims 28 and 29 were canceled because each claim depended upon a previously canceled claim (claims 16 and 14, respectively). It must also be noted that canceled claims 14 and 16 depend on canceled claims that also depend on canceled claims. Additionally, canceled claims 28 and 29 each depends upon allowed independent claim 27. Therefore, a new claim attempting to recapture canceled claims 28 must include the subject matter found in canceled claims 1, 2, 12, 15, 16 and allowed independent claim 27 and a new claim attempting to recapture canceled claims 29 must include subject matter found in canceled claims 1, 2, 12, 13, 14 and allowed independent claim 27.

/David Wu/  
Supervisory Patent Examiner, Art Unit 1796

/Robert D. Harlan/  
Primary Examiner  
Art Unit: 1796